ELLIOTT-At 4 p. m., April 15, Louisa C., widow of M. M. Elliott, Funeral at 2 p. m., Friday, from residence, 63 Yandes street. Friends invited,

FUNERAL DIRECTORS. FLANNER & BUCHANAN-Funeral di rectors, 172 North Illinois street, between New York and Vermont. Office always open. Telephone 641.

SOCIETY MEETINGS. MASONIC-Pentalpha Lodge, No. 564, F and A. M.-Special meeting in Masonic this (Thursday) evening at 8 o'clock, for work in the first degree. GEORGE A. GAY, W. M.

WILLIAM H. SMYTHE, Secretary. WANTED-MALE HELP. WANTED-Special agents to represent The Mutual Life Insurance Company of New

York in territory east and southeast of Indianapolis. Most liberal commissions paid. Address ALEX. HUTHINSON, Gen-

eral Agent, Evansville, Ind. WANTED-An intelligent gentleman as salesman for a prominent Chicago company; must not be afraid of hard work; previous experience not essential; first-class references. Apply in person only. H. C. LOGAN, 337 Lemcke block.

HELP WANTED-FEMALE. WANTED-Experienced girl for general housework; must be first-class cook, neat and willing. Ample assistance with laundry work. References required. Apply 48 North Alabama street.

WANTED-Ladies who want to make \$3 to 55 per day; agreeable, pleasant and legiti-mate business, calling upon ladies only. QUEEN CITY DRUG COMPANY, Mme. M. Baurelle, Manager, Cincinnati, O.

WANTED-SITUATIONS. SITUATION WANTED-By first-class coachman; married; no children; understands the care of fine horses and carriages; careful driver, four-in-hand and tanden. Wife a No. 1 cook and housekeeper. City references. Address H. H., care Journal.

FINANCIAL.

LOANS-Money on mortgages. SAYLES, 75 East Market street. LOANS Sums of \$500 and over. C. E. COFFIN & CO., 90 East Market

MONEY-To loan on Indiana farms. Lowrates, with partial payments. Address N. WILLIAMS & CO., Crawfordsville,

MONEY TO LOAN—On farms at the lowes market rate; privileges for payment before due. We also buy municipal bonds. THOS. C. DAY & CO., Rooms 325-330, third floor Lemcke Building, Indianapolis. FOR RENT.

FOR RENT-Those desirable storerooms 18 and 20 North Meridian street, lately oc-cunied by W. Lawrie & Co. C. E. REY-NOLDS & CO., 10 Circle,

FOR SALE-HORSES AND VEHICLES. FOR SALE—New traps, surreys, buggles, phaetons, delivery wagons, harness, whips. STURTEVANT'S. 68 South Pennsylvania.

SACREDMEMORIALDAY

SHOULD NOT BE DESECRATED.

Not an Oceasion for Fourth of July Amusements-General Order No. 7, G. A. R.

General orders No. 7, issued by Commanderin-chief Walker of the .G A. R., were sent out yesterday. The orders contain the appointments as aids-de-camp for the departments of the different States. Aside from the tments announced, Commander Walker refers to the blue book on the decisions, rules and regulations of the National Encampmen up to date. Special attention is called to the desecration of Memorial day by making it an occasion for races, amusements, ball

The appointments from the Indiana Depart-

William F. Daly, Peru; John H. Beeber Indianapolis; Henry C. Morgan, South Bend; Ild. A. Jernegan, Mishawaka; I. D. Phelps, LaPorte; Wm. M. Kendall, Plymouth. The following other appointments are an-

"Comrade Thomas W. Scott, of Fairfield, Ill., a member of the national council of ad-ministration, is hereby appointed a member of the executive committee, vice Comrade R. Cochran, of Ohio, whose recent death we sincerely mourn.

"The committee on legislation, provided for in Paragraph 5, general orders No. 6, C. I. is hereby increased by the addition of the following comrades: A. R. Greene, W. H. H. Wasson, Marion T. Anderson." In accordance with the action of the Twen-ty-ninth National Encampment the following

comrades are appointed a committee to pre-pare a plan for the organization of picket posts for presentation to the next National Encampment: H. A. Castle, St. Paul, Minn.; H. C. Russell, Lincoln, Neb.; Bernard Kelly, Emporia, Kan.; H. C. Hemingway, Cedar Falls, Ia.; J. B. Cotty, Moberly, Mo.

Concerning the following to say:

ders have the following to say:
"A revision of the Grand Army Blue Bo is now in the course of preparation, and will be issued in a few weeks. It wil contain all the decisions and opinions upon rules and regulations as passed upon and adopted by and its use would insure the immediate answer to many disputed questions, and save reference thereof to headquarters. Requisitions for copies should be filed early with the quartermaster-general."

Following is what Commander Walker says of the observance of Memorial day, preceded by a selection from the action of the National Encampment; "Memorial day is the choicest in the calendar of the Grand Army-a day of sweet remembrances, dear to every loyal heart, and any violation of its sacredness by making it an occasion of friv-olity and amusement, such as characterize the Fourth of July, should be treated as an indignity to the comrades who died that this country might live. Comrades are reminded that the words

Decoration day are frequently used inter-changeably with Memorial day, which is the official designation, and they are requested to use only the term Memorial day on all occasions. In this connection it is proper to say that comrades in the Southern departments are not very numerous and that they have a labor of love to perform on this anniversary that is greater, in proportion to their numbers, than in other sections, while their expenses are very much more, and it should be our duty, when we cannot assist them in other ways, to furnish them with sufficient flags and money to enable them to suitably perform the solemn duties of this occasion. omrades and posts are requested to make such contributions as they are able, and to remit the same to the adjutant-general, in drafts payable to A. J. Burbank, Q. M. gen-eral, who, under the direction of the Com-mander-in-chief, will see that it is properly distributed among the various posts, who

"Columbia College, in the city of New York, is preparing a record of its students who took part in the war of the rebellion, and desires information regarding all such individuals—if they are living, their present place of residence, or if dead, the full details of their military or naval service, and age at the time of their death, with the date and place of their death. Such information should be sent to the committee on the general catalogue of the college."

The South Bend Encampment. H. B. Shively, department commander o

the G. A. R., has issued general orders, No. 15, relative to the State Encampment to be held at South Bend May 13. The different amittees are named and some, details concerning the encampment are given. No badge will be issued except to the delegates in person. All comrades who wish to gates in person. All comrades who wish to attend the encampment and desire to have arrangements made for them, either at a hotel or in a private family, should write to W. E. Gorsuch, chairman of the entertainment committee, at South Bend.

The annual parade will be in charge of Joseph Turnock. The rules of order of the National Encampment, as they are applicable, will govern the encampment. Emanuel B. Row has been selected as officer of the day and Fred T. Kemble as officer of the guard.

officer of the guard.

A word of warning is spoken against John Shaw, of Company H. Ninety-third Ohio, and Algernon S. Fuller, recently of the Marion Soldiers' Home, both of whom are traveling about the State making alleged misrepresentations.

For a pure, sweet cigarette try the latest

STOPPING THE LEAKS

RAILWAYS DAILY MAKING PROGRESS IN CHECKING RATE CUTTING.

The New Transcontinental-Line Rates -Recent Fast Running-Official Changes Again Numerous.

For some years past several of the roads of the Central Traffic Association have allowed a margin of 500 pounds on car-load freights, to cover any possible irregularities in rates. Some of the lines which have and the quality of its information. not done so came before the Joint Traffic Association and took the position that this was indirectly cutting rates, and this has led to a reform in the matter; hereafter roads are to bill actual weight. There is one point, however, over which there is likely to be trouble. The practice of billing flour in sacks at actual weight is to be continued, and the old rule of billing flour in barrels and making no charge for the weight of the barrel is to be continued, on the ground that a car load of flour in barrels can be handled by two men as quickly as it could be by ten men were the same flour in sacks. There is much less liability to loss in handling the flour when carried in barrels.

American Railway Association. The American Railway Association finished its work at Cincinnati yesterday and adjourned. The companies in the association operate about 85 per cent. of the railway mileage of the United States. When it organized ten years ago it comprised fifty-four companies; now it includes 235 companies, operating nearly four times as many miles of road as in 1886. One hundred and thirty members were present yesterday. The new committee on regulation of employes got its time to report extended till the New York meeting next October. The committee on safety appliances was also given time to report at the same New York meeting. Carservice resolutions were adopted fixing uniform mileage rates at 3 cents for passenger and 1½ cents for combination and other lower grade cars. Action was taken on a new code of rules on interlocking and block signals accurately the three signals are the statement. nals covering the three signal systems now in use on American lines. President H. S. Haines, who is no longer eligible, having left the railway service, made a farewell address in which he suggested that efforts be made to secure the international congress here for its next session after that which is

here for its next session after that which is to be in Paris in 1900.

The election of officers resulted as follows: President, E. T. Myers, president of the Richmond, Fredericksburg & Potomac railway: first vice president, E. E. Thomas, president of the Erie; second vice president, Joseph Wood, fourth vice president of the Pennsylvania. For the two members of the executive committee the following were elected: William H. Baldwin, jr., vice president of the Southern railway, and Roller H. Wilder, general superintendent of the H. Wilder, general superintendent of the Lehigh Valley railroad. For committee on train rules, the Illinois Central, the Atlantic Coast line and the Chicago, Burlington & Quincy were elected to add one member each to that committee.

The M., O. & S. Road.

The stockholders of the Columbus, Lima & Milwaukee Railroad Company met at Lima, O., yesterday, all the stock being represented, and voted to change the name to COMMANDER WALKER SAYS IT the Michigan, Ohio & Southern Railroad Company. They also authorized the cancellation of the old mortgage bonds and a millions of bonds. The following directors of the new company were elected: Marcus Pollasky, Lester O. Goddard and James T. Hall, of Chicago; Harry A. Conant and William F. Jarvis, of Detroit; D. J. Cable and W. L. Parmenter, of Lima; Edward P. Hooker, of Defiance, and G. A. Garret-son, of Cleveland. The directors will meet in Cleveland on Saturday next, when these following officers will be elected: Marcus Pollasky, president; Lester O. Goddard, vice resident; James T. Hall, treasurer, and D J. Cable, secretary. The new company will absorb all the interests and property of the West Virginia, Ohio & Western; the Columbus, Lima & Milwaukee; the Detroit & Toledo Short Line, the Central Michigan, the Michigan & Ohio Belt line and several other short railroads in Michigan and Ohio, thus connecting the coal fields of West Virginia and Ohio with the lakes Work will ginia and Ohio with the lakes. Work will be commenced at once on those portions of the road from Columbus to Defiance and from Detroit to Toledo.

New Transcontinental-Line Rates. The understanding now is that the new transcontinental-line rates will go into effect May 1. The new rates from the territory in which Indiana and Ohio industries are interested are as follows, the figures peing for each one hundred pounds of

Missouri river and common points, new—First-class, \$3.35; second, \$2.85; third, \$2.50; fourth, \$2; fifth, \$1.70; A, \$1.75; B, \$1.55; C, \$1.20; D, \$1.65; E, 95 cents. Old—First, \$3.50; second, \$3; third, \$2.50; fourth, \$2; fifth, \$1.75; A, \$1.75; B, \$1.55; C, \$1.26; D, \$1.10; E, \$1. Cincinnati, Detroit and common points, new—First-class, \$3.75; second, \$3.25; third, \$2.75; fourth, \$2.15; fifth, \$1.85; A, \$1.90; B, \$1.70; C, \$1.35; D, \$1.20; E, \$1.10. Old—First, \$3.95; second, \$3.45; third, \$2.75; fourth, \$2.15; fifth, \$1.90; A, \$1.95; B, \$1.75; C, \$1.40; D, \$1.25; E, \$1.15. Missouri river and common points, new-

New York, Boston and common points. new-First-class, \$4; second, \$3.50; third \$2.95; fourth, \$2.30; fifth, \$1.95; A, \$2; B, \$1.75 C, \$1.40; D, \$1.25; E, \$1.15. Old—First, \$4.20; second, \$3.70; third, \$2.95; fourth, \$2.30; fifth, \$2; A, \$2; B, \$1.80; C, \$1.45; D, \$1.30; E, \$1.20. The new rates are the result of a meeting held in Milwaukee. All the roads are now preparing the new schedules, so that they may become effective May 1.

Several Fast Runs. Within the last three days several remarkably fast runs have been officially reported. Monon train No. 30, engine 103. Engineer Brooks, Conductor Angle, on April 13. left Indianapolis fifty-one minutes late, because of receiving the train late from the C., H. & D. The train was delayed four minutes at McCoysburg, three minutes at Grand Trunk crossing, and arrived in Chicago on time, the running time being four hours and forty-two minutes.

The special over the Cincinnati, Hamilton & Dayton, on Tuesday, which hauled several private cars of railway managers from Toledo to Cincinnati, made the run, including stops, in five hours and six minutes. The railway officials who were on the train spoke in very complimentary terms of the manner in which the run was made. A special on the Erie, on Friday last, left Binghamton thirty-six minutes late and reached Chicago on its schedule time. One stretch of seventy-one miles was covered in sixty-one minutes.

War Against a Receiver.

The trouble over the appointment of Col. Fordice, president of the Cotton Belt, as a receiver of the Bennett & Southern Railroad. by Judge Wear continues, and the receiver's private car is blocked by trains wrecked on either side of it by Superintendent Houck.
Louis Houck, president of the St. Louis &
Kennett Railroad, said Judge Wear's only
object in appointing a receiver was to destroy
the value of the road, which is in good financial condition. He continued: "The Cotton
Belt determined to either control or ruin the he said, "and the appointment of Colonel Fordice without notice plainly shows that Judge Wear is willing to assist them as against me."

Personal, Local and General Notes. E. O. McCormick, passenger traffic manager of the Big Four, went to New York

J. J. Turner, vice president of the Vandalia, was in the city yesterday to attend the Fletcher-Churchman wedding. Edward Orr, as general agent of the Balti-more & Ohio at St. Louis, it is stated, is to receive a salary of \$9,000 per annum. J. H. Geraghty, formerly purchasing agent of the Big Four, will, it is said, be appointed purchasing agent of the Baltimore & Ohio. An official of the Cincinnati, Hamilton & Dayton states that investigation has shown that 72 per cent of the company's locomotive engineers own homes.

J. S. May, recently appointed superintendent of the Richmond division of the Panhandle lines, yesterday removed his family from Logansport to Richmond. Fred Harvey, who operates the dining rooms and restaurants on the Santa Fe lines. has leased the dining rooms and restaurant at the Union Station, St. Louis, J. M. Lunt, for many years general super-intendent of the Indiana Central, now the Panbandle line, retiring in 1889, died at his

home near Boston a few days ago. W. S. Brown, traveling passenger agent of the Lake Shore, spent yesterday in the city. He reports the passenger business of the Lake Shore as improving greatly of late. Official figures will show that there is no railroad center in the United States which

can be reached on so low a basis of pas-senger rates for conventions as Indianapolis lines invariably make.

The Cincinnati, Hamilton & Dayton is distributing on the Indianapolis division ten miles of new steel rails and 38,600 ties, and will distribute in reballasting this season 29,000 cubic yards of gravel.

S. P. Shane has been appointed assistant general freight traffic manager of the Eric lines, including the Chicago & Eric, and George B. Whittlesey succeeds Mr. Shane as general agent at Cleveland. W. H. Brill was yesterday appointed traveling passenger agent of the Illinois Central, with headquarters at St. Louis, and C. C. McCarte division freight agent, whose headquarters will also be at St. Louis.

The Big Four Gazette has just entered its

The Big Four has just completed a very substantial iron bridge on its Whitewater division, just below Connersville, over a creek which has in the past given the company much trouble when there were freshets. The fast express train over the Panhandle lines which arrives at Indianapolis at 8 a. m. is now so heavy that it is hauled daily by two locomotives. The time is so fast that one locomotive is unable to make it. Frank Barnes, who has been one of the Pullman car conductors nearly thirty years, passed through the city last night with the remains of his mother, who died Monday night, en route for Harrisburg, Pa., for

A meeting of the Western roads has been called to meet in Chicago on the 23d of this month to consider the question of the payment of commissions to the agents of roads running personally conducted excursions to transcontinental territory.

James G. Mooney has been appointed traveling passenger agent of the Chicago Great Western, with headquarters at Cincinnati. He will have as his territory Ohio, Kentucky and Indiana south of a line drawn through Richmond and Terre Haute. The Louisville, New Albany & Chicago earned in the first week of April \$61,078, against \$60,253 in the corresponding week of 1895, and against \$56,881 in 1894. The C., C.,

C. & St. L. earned in the first week \$229,154, against \$250,548 in 1895, and against \$226,465 in

General Passenger Agent Daly, of the Lake Erie & Western, in commenting on rates on passenger business, said the roads had got to do one of two things; get higher rates for business carried than those of the last two years or take off some of the

President Ingalls and track experts who eccompanied him on his inspection trip over the western division of the Peoria & Eastern were greatly surprised over the excellent condition of the road, but few, if any di-visions in the Big Four system, being much

It is claimed that seventy-three miles of road on the Lake Erie & Western between passenger service on any like mileage with the same number of trains of any road in the State. In 1855 the trains on this division averaged \$1.26 per mile run.

E. B. Hutchinson, claim agent of the Pan-handle lines, yesterday returned from Maine, where he went on business. He states that the high waters of the last six weeks have made bad work of the railroad, embank-ments, bridges, etc. The Boston & Maine is now doubling its track between Boston

F. L. Thompkins, general superintendent of the Peoria & Pekin Union railway, on Tuesday closed a contract for an interlocking signal plant at the crossing of the P. & P. U. and the Peoria terminal roads at Bridge junction. It will be the largest and most expensive plant in Illinois outside of Chicago, having thirty separate levers.

The annual meeting of the stockholders of the New York Central & Hudson River railroad was held yesterday at Albany. Some \$65,000,000 of stock was voted on. The board of last year was elected without change. Annual meetings were also held by the West Shore company and Mohawk & Malone company. There were no changes in the directorates, except in Mohawk & Malone, F. P. Freeman being chosen to fill a vacancy caused by the death of Samuel

Mr. E. W. Titus has been appointed secretary of the Railroad Young Men's Christian Association at Columbus, Ind., and passed through this city yesterday to take charge. Mr. Titus was for some years telegraph operator and train dispatcher on the Chicago & Northwestern, and became a secre-tary of the Young Men's Christian Association about three years ago. Quite a number of Pennsylvania employes reside in Colum-bus, and it is the headquarters of the Madison and Cambridge City branches. Association membership, however, is open to all young men of the city.

Oscar G. Murray, receiver and vice president, and W. H. Greene, general manager of the Baltimore & Ohio lines, who have been in Cincinnati for several days, returned to Baltimore yesterday. Mr. Murray admitted to a Journal reporter that he had a big task before him to place the Baltimore & Ohio well upon its feet, but he had undertaken to do so and proposed to accomdertaken to do so and proposed to accom-plish what he had undertaken, adding that in a short time the roadbed and equipment of the Baltimore & Ohio would be equal to those of its competitors. He spoke enhusastically of the operations of the Joint Praffic Association and seemed confident it has come to stay.

BRIGHTWOOD'S FIRE DEPARTMENT

Members of the Volunteer Companies to Be Paid by the Hour.

The regular meeting of the Brightwood Town Board of Trustees was held last night. The street and alley committee reported that men had begun to scrape and grade the streets, and would continue as rapidly as possible.

in extinguishing fires in the town of Brightwood and any other duties they may be called upon to do by the Board of Trustees

"Each volunteer fire company shall consist of fifteen members, who shall elect one of its own members as captain of the company, who shall serve in such capacity for a period of one year, unless removed for

"Inefficiency and inattention to business shall be grounds for removal, and said captain may be removed by the Town Board on complaint of any member of the com-pany by filing written charges with the board, and when such charges are made the board shall hear evidence upon the ques-tion and their decision shall be final. "There shall be a meeting of the company at least once each month, and they shall have the right to adopt such rules and regulations as may be necessary for their government, subject to the approval of the president of the Town Board.

"The fire company shall have the right to assess fines for nonattendance at the regular meetings, and for failure to respond to fire alarms, or any other duties assigned to them by the captain of the company. "Each member shall receive 25 cents an hour, or fraction thereof, while in active service in response to any fire alarm.
"It shall be the duty of the captain of each company to keep a record of the hours and services of each member, and he shall report the same monthly to the chief of the fire department.
"In case of fire the captain of each company shall have the right to substitute men

to fill the places of those not responding to the call. No regular member of the fire

company shall receive any pay unless in

actual service at a fire. On Mr. Hodgson's motion the resolution relative to each ward nominating and electng its own trustee was laid on the table. Fred Miller was waited on yesterday by a representative committee of the anti-saoon citizens, who expressed as their wish that he run independently for marshal in the coming election, with the assurance of their support. Mr. Miller withdrew his name as candidate for nomination at the Democratic convention last Monday night, saying that he no longer desired the office. To the Journal he said that the committee had prevailed upon him to run independently, and made him such promises that he could not well refuse to comply with their wishes. His running independently will at least lessen the Democratic candidate's

chances for election. It Was Not "Moonshine."

Elizabeth Kimbrough, a Brightwood colored woman, was fined \$20 and costs by Justice Habich yesterday for selling liquor without a county license. It had been re-ported that the liquor sold by Mrs. Kim-brough was "moonshine" whisky, but the government found the barrels labeled with the government stamp. Justice Nickerson fined William Hout, of Mount Jackson, \$38 for illegal liquor selling. The fines were stayed by the Maus Brewing

Pure blood is the safeguard of health. Keep your blood pure, rich and full of vitality by taking Hood's Sarsaparilla and you will not need to fear the attacks of dis-

HEARING SET EARLY

ORAL ARGUMENT IN APPORTION-MENT CASE NEXT WEEK.

Democrats Surprised at Supreme Court's Action-Petition of Lew Wallace, Jr., Denied.

The Supreme Court yesterday gave the result of its consideration of matters pertaining to the apportionment suit, thereby indicating that the case will be heard and settled at an early date. The petition of | telligence and average strength and activity, Lewis Wallace, jr., asking a rehearing of the case appealed from Sullivan county, was denied. The decision of the Sullivan county case declared the apportionment acts of 1891 and 1895 unconstitutional. The denial of the intervening petition settles that case for good, so the decision may now be certified to the lower court, making it impossible to hold any election under the acts.

The Supreme Court also ordered that the oral argument in the case appealed from the Marion county court and brought to have the act of 1885 set aside, be heard April 22, or one week from yesterday. The motion filed by the Democratic committee to have the suit dismissed, for the reason that it is collusive, was deferred until the final hear-

The action of the court in setting the time for oral argument at so early a date and de-ferring the motion to dismiss until the final learing is a surprise and a disappointment to the Democratic committee. It has never been thought that the Democratic committee had any intentions other than causing delay in entering the motion. The hope was entertained by the instigators of the motion to dismiss that if the court did not dismiss the spit it would decide not to take up the cause at present. The action yesterday, however, spoils all anticipated delay, and the decision may probably be ready by the first sitting of

DAMAGES FOR INJURIES. Another Special Verdict Case in the

Judge's Hands. A special verdict for \$250 was returned in the Superior Court yesterday in the John W. Lee damage suit. The defendant was the C., H. & I. Railway Company. Lee, while employed in the switch yards, had a

finger mashed while coupling cars. If the him, The suit was tried in Room 2. The damage suit of Amos Remier against he Brown-Ketcham iron works, which was originally brought in Room 3, Superior Court, was refiled yesterday in Room 1. The suit was dismissed in Room 3, after the evi-

dence had been partly heard. Remler was employed by the defendants to assist in putting on the roof of the Industrial Training School. He was hurt, he alleges, through the negligence of his employers. He asks Moses, Warren and Ansel Fatout, brought a suit yesterday for \$25,000 damages against his employers, who are constructing carpenters and builders. In 1895 the plaintiff avers was employed on the George W. Stout from one of the upper floors to the ground below. Negligence is alleged.

THE LEHR WILL CONTEST.

Decedent Left Her Property to Charitable Institutions. Suit has been brought to contest the will of the late Catharine Lehr, who bequeathed a large part of her estate to charitable and

religious institutions. The suit is brought by Laura Louise Behring, daughter of Mrs. Lehr. John W. Brown, executor of the will, is one of the defendants to the action. Mrs. Lehr died Jan. 1, 1896, leaving a will which bore the date of Aug. 11, 1895. The plaintiff alleges that she is the only heir-at-law of It is averred that at the time of the execu-

mind and was incapable of making a valid and legal will. It is further alleged that the testatrix was influenced by some of the per-Among the institutions named as beneficiaries of Mrs. Lehr's estate are the following: Protestant Deaconess Society of Indianapolis; German Reform Orphan Home, of Fort Wayne; Board of Home Missions of the Synod of the Northwest and Central Synod of the Reformed Church in the United States; the Evangelical Reformed St. John's Church, of Indianapolis.

AFTER EIGHT YEARS. At Last Louis Neubacher Gets a Judg-

ment for \$3,000. Eight years ago Louis Neubacher was struck by an engine at the Delaware-street crossing of the Union tracks. He sued the company for damages. The case has been in litigation ever since that time, having been in the higher court twice. In the Marion county Superior Court, on the last hearing, Neubacher was allowed \$3,000 damages, and the decision was affirmed by the Appellate Court yesterday.

Magistrate Clark's First Case. Justice Clark tried his first State case yesterday morning. He fined William Taylor,

a young colored man employed by the Indianapolis Water Company, 1 cent and costs An ordinance regulating the duties of the members of the volunteer fire department of Brightwood and fixing the rate of pay they are to receive was brought up for second reading and adopted. Among the provisions are the following:

"Privilege shall be given citizens of Brightwood to organize volunteer fire companies, whose duty it shall be to assist in extinguishing fires in the town of Bright."

Induations water Company, I cent and costs for assaulting his wife, Lilly Taylor. Mrs. Taylor told the court that her husband was very cross and surly yesterday morning and gave her a good beating before leaving for his day's work. Taylor pleaded guilty and his wife implored the court to make his punishment as light as possible. Taylor has been employed by the water company for three years and has been a faithful employe. His fine was stayed by the members of the volunteer fire department of payers. his employers. She Got Hooks.

Daisy Hooks commenced an action yesterday against Andrew Hooks for divorce and | and Hendricks, About three hundred deleallmony. Cruel treatment is alleged as ground for divorce. The plaintiff says that on March 9, 1896, the defendant threatened to take her life and on that date shamefully mistreated her. She charges that he failed to support her and she had to go from house to house and solicit aid. At the solicitation the action for divorce.

Bowen Case Reinstated.

The Supreme Court, on petition of Attorney-general Ketcham, yesterday ordered that the Bowen tax case be reinstated. The case was dismissed from the court on the petition of the officials of Carroll county, who appeared as plaintiffs in the lower court. The dismissal was made after a compromise had been perfected in the taxes due from the Bowen estate. Since that time the State has concluded that \$11,000 is due it, and the cause is now reopened.

Hit by an Air Gun.

The damage suit of Samuel Tomlinson by his next friend, George Tomlinson, against George and Portia Bigler, is on trial before Judge Harvey of the Superior Court. Last December George Bigler, who is a lad of fourteen, fired off an air gun in the direction of a playhouse occupied by young Tomlinson and two or three of his friends. The bullet struck the Tomlinson boy in the eye.

M. C. Botterill.

Friday Afternoon—1:30, devotional service, led by Miss Ethel Miller; 2, open parliament—"Essentials of a Good Christian Endeavor Society," conducted by Mr. Ed W. Clark; 2:30, "How Albert Kept the Good Literature Committee Hustling," Miss Jennie T. Mason; 3:30, "As Others See Us," Rev. F. C. Hood.

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N. Sims, D. D.; 7:45, "Washington, '96," Solo, Miss Grace E. Akass; 8, "Sunday Observed Rev. F. C. Hood.

Lucio Didn't Pay His Bill. A. Lucio was arrested on a capias issued by Justice Lockman at the instance of Mummenhoff & Co., wholesale fruit merchants. who made an affidavit charging that Lucio bought a bill of goods of them, and that, after disposing of the same, he was about to leave town without making a settlement. In default of a bond for \$75 Lucio was sent to jail. His case will be tried Friday after-

Young Estate Litigation Settled.

The litigation over the estate of the late James Young has been finally settled in the Probate Court. An inventory of the property shows that the estate will pay about fifteen per cent, on the bequests mentioned in the will. St. Vincent's Hospital and St. Joseph's Church are prominent beneficiaries. Richard Young, who brought the suit to break the will, will receive about \$3,200.

THE COURT RECORD. Supreme Court.

17673. Blue vs. National Bank. Sullivan C. C. Affirmed. Hackney, C. J.-Where the party whose pleading is attacked by demurrer makes no question of the sufficiency Keep your blood pure, rich and full of vitality by taking Hood's Sarsaparilla and you will not need to fear the attacks of disease.

Hood's Pills cure liver ills, constipation, for the first time on appeal unless the pleas are affirmative and should be treated as re-

quired to plead causes of action and not of defense, their sufficiency may be raised for the first time in this court. 2. A vice president of a bank is not entitled to any compensation for performing the ordinary duties of his office unless the governing statute or some by-law or contract to which to him. 3. Under the statute any matter which is pleaded as a counter claim must either arise out of or be connected with the contract or transaction set forth in the claintiff's complaint. 4. On pleading a rati-fication of a contract by a corporation is required to plead such facts as may dis-close a knowledge of the terms of the pre-existing contract and an action upon that knowledge by others than the very officers whose contract it is.

17654. Krenzer vs. P., C., C. & St. L. Railroad Company. Hamilton C. C. Affirmed. Howard, J.-A boy seven and onehalf years old, possessed of ordinary inwill be guilty of contributory negligence in sitting upon the rail of a railway track, and lying down to sleep with his leg across the rail whereby it is cut off by a train

passing on the track.

17756. Goff vs. Hedgcock. Tippecanoe S.
C. Affirmed. Monks, J.—Where a mortgage given to secure the mortgagees from loss by reason of their having become surety for he mortgageor contains a stipulation that "the mortgageors will pay the sums so se-cured," and if such obligations are not paid when due the mortgagees, without having first paid the same, can maintain an action for the foreclosure of such mortgage and cover as damages a compensation for the total probable loss, and where part of the mortgagees, by agreement, take charge of some of the property and render services in taking care of and selling the same they will be entitled to a reasonable compensa-

tion for their work.

17558. Loucheim vs. Seeley. Huntington C.
C. Dismissed. McCabe, J.—1. Where a brief is filed by the appellee on the merits of the appeal, appearance will be considered entered and process waived. 2. Amendments of the assignment of errors cannot be made after the cause is submitted, except upon notice and leave applied for in writing, nor will leave be granted unless it appears that due care and diligence were exercised in the first instance to make the assignment 17267. Guckien vs. Bowen, Carroll C. C.

Protest reinstated. 17726. Denney vs. Basier. Sullivan C. C. Petition for rehearing overruled. 1784. Fesler vs. Brayton. Marion S. C. Motion to reverse and dismiss deferred until final hearing. Cause set for bral argument April 22, 1896.

Appellate Court. 1981. Horne vs. Refrigerating Company Grant C. C. Affirmed. Davis, J.-The fact that there is some evidence sustaining the appellant's theory will not be sufficient to reverse the judgment of the trial court. 1886. Insurance Company vs. LeRoy. Madison C. C. Affirmed. Reinhard, J.-1. After court finds that the law is with the plaintiff a question has been asked and answered without objection it is too late to have the he will be entitled to the verdict. Otherwise same stricken from the record. 2. Affidavits must be brought into the record by a bill of exceptions or order of court.

1661. Wilson vs. Evers. Delaware C. C. Affirmed. Ross, J.—Where a person is injured while operating a machine, in an action for damages for the injury, a general verdict which gives the plaintiff damages will be controlled by the answers to interrogatories when they establish the fact that the danger was apparent and that the plaintiff had assisted in its operation a number of times and was familiar with its operation and that operating the machine was in the line of her employment. 1702. Brower vs. Ream. Miami C. C. Petition for rehearing overruled 1739. Jenkins vs. Fisher. Hamilton C. C. Petition for rehearing overruled.

Superior Court. Room 1-John L. McMaster, Judge. William H. H. Childs vs. Adolph Seilken. Plymouth Saving and Loan Association vs.

Mary A. McAdams et al.; foreclosure, Judg-ment for plaintiff for \$1,495.46. Charles B. Rockwood vs. John Owen et al.; nechanic's lien. On trial by court. Room 2-Lawson M. Harvey, Judge. John W. Lee vs. C., H. & I. Railroad Company; damages. Jury returned special ver-dict in favor of plaintiff for \$250. Anna Schwab vs. Metropolitan Life Insur-

ance Company; suit on policy. Finding for defendant. Judgment against plaintiff for The Crossby-Beckley Company vs. Charles N. Kellogg et al.; notes. Judgment against defendants for \$3,168.71 and costs. Samuel Tomlinson vs. George Bigler et al.; damages. On trial by jury.

Room 3-Pliny W. Bartholomew, Judge. E. Bement & Sons vs. J. A. Everitt Seed Company; account. On trial by jury. Henry T. Nolting vs. John Bradley et al.; street lien. Finding there is due plaintiff Philander H. Boyd et al. vs. J. W. Northam et al. Finding and judgment against Northam for \$82.34. German Fire Insurance Company of Indiana vs. John Brester; foreclosure. Dis-

missed and costs paid.
/ Hope Rhoads vs. John Rhoads et al.; partition. Dismissed at plaintiff's cost. Circuit Court. Edgar A. Brown, Judge.

Sophia Peine vs. estate of John H. Peine. Claim for \$500 allowed. New Suits Filed. Amanda Higgs vs. Daniel Higgs; divorce. uperior Court, Room 3. Phoenix Mutual Life Insurance Company vs. Urbine Stackhouse et al.; suit for foreclosure. Superior Court, Room 3.
Minta Brace vs. Walter Tibbitts; suit on note. Superior Court, Room 1. Frank Coon vs. Moses K. Fatout et al.; damages, Superior Court, Room 1. Amos Remler vs. the Brown-Ketcham-iron works; damages. Superior Court, Room 1.
Indiana Bond Company vs. Joseph Wazulik
et al.; suit to foreclose. Circuit Court. Daisy Hooks vs. Andrew Hooks; divorce. Superior Court, Room 2. Laura Louise Behning vs. John W. Brown

et al.; suit to contest will. Circuit Court. DISTRICT ENDEAVOR CONVENTION. About Three Hundred Delegates Wil Be Here Friday.

The annual convention of Christian Endeavor for the Eleventh district occurs on Friday and Saturday, at Meridian-street Church. The district comprises five counties - Marion, Johnson, Hancock, Morgan gates from outside the city will be present The programme includes Dr. Wilcox, of La-fayette, and Rev. J. W. Parker, of Greensburg, as well as people prominent in En-deavor work in the city. Rev. F. C. Hood will conduct the pastors' half-hour on Friday. He desires to have the ministers of the city present, ready to take a brief part in the open parliament. Opportunities for discussion of every subject will be afforded. The convention will begin at 10:30 o'clock Friday morning, and will be opened with a devotional service, led by Mrs. E. E. Stacy. The first session will be held in the lecture room and will begin promptly at 10:30 o'clock. Mr. Will Hollobaugh, of the Y. M. C. A., will lead the devotions on Saturday morning. The closing words of the convention proper will be spoken by Miss Lois White Following is the programme in detail: Friday Morning-10:30, praise service, led by Mrs. E. E. Stacey; 10:50, report of district secretary, appointment of committees; 11:15, Bible reading, conducted by Mr. E.

bullet struck the Tomlinson boy in the eye, blinding him. It is charged that the gun was fired maliciously. American History, and the Duties of Citi-zenship," Rev. C. B. Wilcox, D. D.



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